

## TOWN OF LANESBOROUGH BOARD OF HEALTH MEETING

Submitted by Sherri Thompson, BOH Secretary

Date: April 12, 2016

Present: Nancy Boudreau, Chair; Francisca Heming; Larry Spatz; Nancy Simonds-Ruderman; Sherri Thompson;  
Jeff Blake, Town Counsel; Paul Sieloff, Town Manager; 27 Town Residents; Attorney Thomas Hamel;  
Attorney Nicole Bercume

Absent: Mr. Cal Joppru

The meeting was opened by Mr. Sieloff at 7:07 p.m. Mr. Sieloff welcomed everyone and stated the purpose of the meeting and the Board is looking for feedback on limiting the number of fowl that can be kept based on property size and registration of fowl.

### Town Counsel

Mr. Blake gave a brief summary of why the regulations are being implemented stating the number of fowl allowed based on square footage available after allowing for required set-backs. It was also explained that no roosters would be allowed that are older than four months. Mr. Blake indicated that a permit would be required to keep track of the number of fowl and where the fowl are housed.

Mr. Spatz noted the Board of Health only just received the draft regulations and has had no discussion yet regarding them.

Ms. Boudreau feels that 12 fowl are too many, especially on a small lot, but she is open for discussion.

Ms. Bercume noted that it is not the responsibility of the Board of Health to regulate the number of fowl but rather a zoning issue. Ms. Bercume believes the Select Board was not successful in meeting the requirements for modifying the bylaws and therefore made the issue a Board of Health matter.

Ms. Bercume also stated that agricultural activities are protected by the State from being a 'nuisance' and therefore, again, are not a Board of Health matter. Mr. Blake indicated the Board of Health does have the right to pass the regulations, and it absolutely is a Board of Health issue, particularly in regard to where the fowl are 'penned' and how to properly dispose of manure. Ms. Bercume reiterated that the Select Board was unsuccessful in changing the Town By-Laws and therefore need to wait two years before they can try again.

Mr. Gordon Zaks said there needs to be a determination of how many fowl can be kept based on size. Mr. Bob Barton said there should only be allowed one animal for every three square feet of available property after the 20 foot set-back is met and said some don't even have the 20 feet.

Ms. Hemming believes the set-back should be 50 feet from property lines and houses and 100 feet from wells.

Several other residents voiced their opinion as to how many fowl should be allowed, how the fowl should be 'penned', and that rabbits should also be included in the regulation.

There was a lot of discussion on the use of the chicken manure for composting and spreading on lawns, gardens, etc. It was noted by the Agricultural Committee that there are rules for composting in order to avoid spoilage and odor of the compost and there should be testing of the manure/compost prior to spreading anywhere.

After continued discussion the Board noted they are not prepared to make a decision and need to further review the draft regulations. It was suggested there be a public hearing to determine the need for these regulations. Ms. Boudreau asked the Agricultural Committee what regulations they would like to see and please provide those requirements to the Board to include in their review.

Next Board of Health meeting is scheduled for April 25 at 7:00 p.m.

Meeting was adjourned at 8:30 p.m.

Nancy Boudreau \_\_\_\_\_

Francisca Heming \_\_\_\_\_

Larry Spatz \_\_\_\_\_